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Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
)
Amendment of Section 73.202(b)) RM-
Table of Allotments,)
FM Broadcast Stations.)
)
(New Augusta, Mississippi))

RECEIVED

JUN 17 1997

Federal Communications Commission
Office of Secretary

To: Mass Media Bureau (Policy & Rules)

Petition for Rule Making

Community Broadcasting Company, ("Community"), by its attorney, respectfully petitions for rule making so as to allot Channel 269A to New Augusta, Mississippi, as that community's first local FM service. In support thereof, the following is shown.

New Augusta is an incorporated community and the county seat of Perry County. Located on U.S. Highway 98, its population, according to the 1990 U.S. Census, is 668. It is an independent community governed by an elected Mayor and town council. It has its own water and sewer treatment facilities, police department, volunteer fire department, and the usual complement of other businesses and organizations generally found in communities of its size. This rule making will provide the first local radio service to New Augusta.

The proposed reference coordinates for the new allotment are North Latitude 31° 13' 41"; West Longitude 89° 06' 47". As shown by the attached spacing study prepared by Graham Brock, Inc.,

024
MMB

Channel 269A may be allotted to New Augusta at these reference coordinates using a site restriction 7.8 kilometers northwest of the community to avoid short spacing the outstanding construction permit for WTKX(FM) Pensacola, Florida. A 3.16 mV/m signal will be placed over the entire community of New Augusta from the reference coordinates, using maximum Class A facilities. Adopting the rule making proposed herein will serve the public interest.

Community will promptly apply for a construction permit for the new station upon favorable Commission action on this petition, and will promptly construct the new facilities upon grant of the application.

In view of the above, the Commission should amend Section 73.202(b) as follows:

<u>City</u>	<u>Current</u>	<u>Proposed</u>
New Augusta, Mississippi	---	269A

Respectfully Submitted,

COMMUNITY BROADCASTING COMPANY

By

John S. Neely
Its Attorney

June 17, 1997

Miller & Miller, P.C.
P.O. Box 33003
Washington, DC 20033

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

PETITION FOR RULE MAKING
COMMUNITY BROADCASTING COMPANY
ALLOT CHANNEL 269A
NEW AUGUSTA, MISSISSIPPI
June 1997

TECHNICAL EXHIBIT

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PETITION FOR RULE MAKING
COMMUNITY BROADCASTING COMPANY
ALLOT CHANNEL 269A
NEW AUGUSTA, MISSISSIPPI
June 1997

TECHNICAL STATEMENT

This technical statement and attached exhibits were prepared on behalf of Community Broadcasting Company ("CBC"), a petitioner requesting the amendment of §73.202(b) of the Commission's rules by allotting Channel 269A to New Augusta, Mississippi. The allotment of this channel will provide New Augusta its first local licensable aural service.

COMMUNITY ATTRIBUTES

New Augusta is located in Perry County, Mississippi, and is also the county seat of Perry County. According to the 1990 U.S. Census, the population of New Augusta is 668. New Augusta was incorporated in the 1950's and has a Mayor and five member (elected) town council. The city has two paid police officers and a volunteer fire department. New Augusta also provides water and sewer services to its population. There are several businesses, three churches and a number of residential areas in New Augusta.¹ The New Augusta elementary school is also located within the city limits (the schools are governed by Perry County). Therefore, New Augusta has all of the necessary attributes to demonstrate it is a viable community for allotment purposes.

1) All information regarding the city of New Augusta, Mississippi, was provided by Ms. Lisa Van Gundy, Deputy Town Clerk of New

ALLOCATIONS REQUEST

Channel 269A can be allotted to New Augusta, Mississippi, with a site restriction of 7.8 kilometers northwest of the community to avoid shortspacing the outstanding construction permit for WTKX-FM, Channel 268C, Pensacola, Florida, at North Latitude 31° 13' 41" and West Longitude 89° 06' 47". Exhibit #1 is a usable area map for Channel 269A at New Augusta, Mississippi. Exhibit #2 is a §73.207 allocation study which demonstrates Channel 269A meets the Commission's minimum distance separation requirements to all other licensed, applied for or proposed facilities (with the exception of WKNZ Collins, Mississippi)². A 3.16 mV/m signal can be delivered to New Augusta, Mississippi, from the allocation reference site.³

Therefore, CBC requests the Commission amend §73.202(b) as follows:

New Augusta, Mississippi

Present
None

Proposed
269A

PUBLIC INTEREST ASPECTS

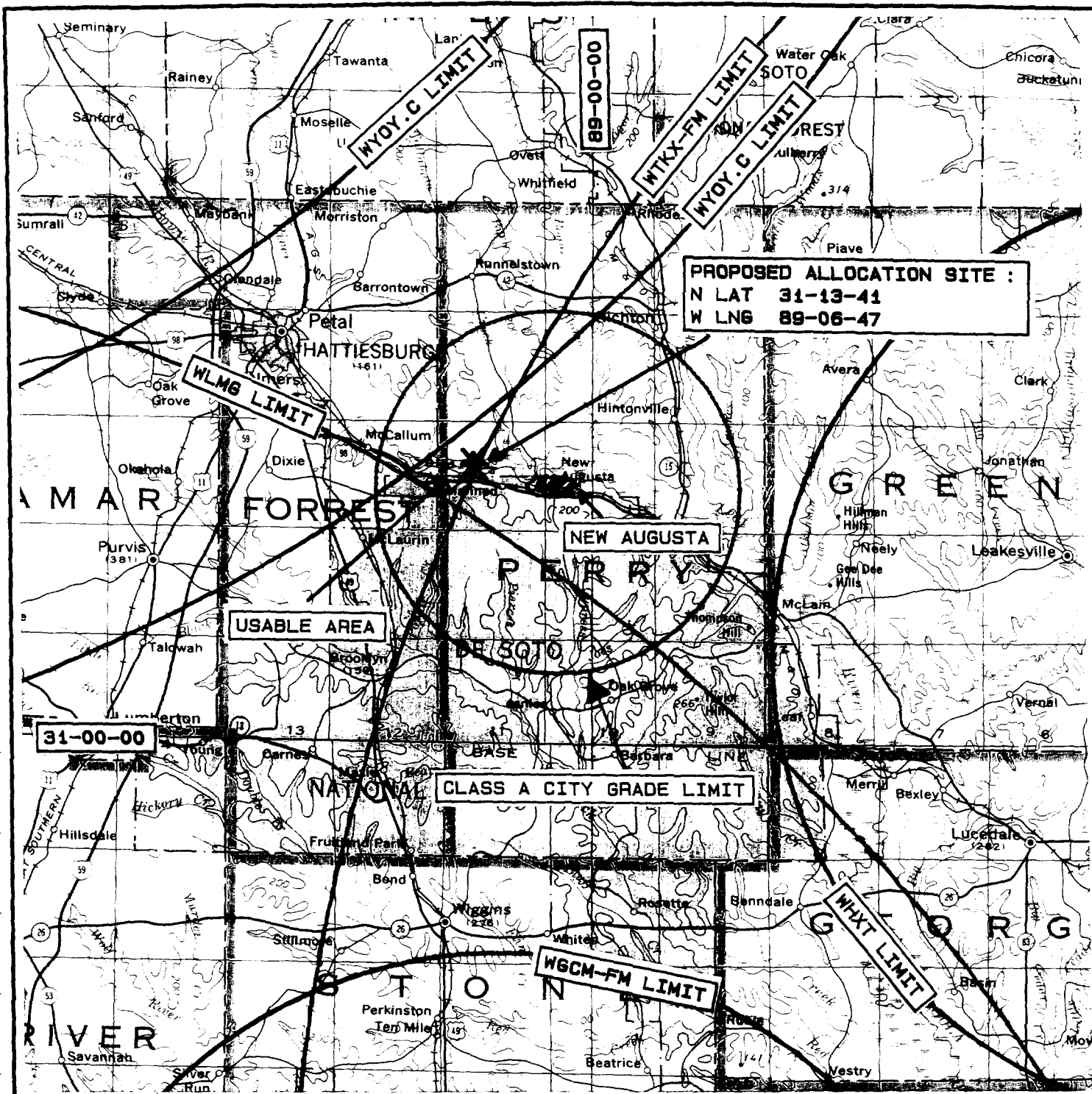
The allotment of Channel 269A to New Augusta, Mississippi, will provide the first locally licensable service to the community of 668 (there are presently no AM or FM facilities licensed or allotted to New Augusta. A maximum Class A facility from the proposed reference site would provide 1.0 mV/m service to 82,245 persons in 2,495.5 square kilometers.⁴

2) WKNZ was ordered to Channel 296A at Collins, Mississippi, in MM Docket #90-369 and a construction permit has been issued for WKNZ on Channel 296A, File #BPH-910110IB.

3) New Augusta is not located in or near an Urbanized Area. The nearest Urbanized Area is Hattiesburg, Mississippi. Based on the proposed Channel 269A reference site, the Hattiesburg Urbanized Area will not receive greater than 50% city grade signal. This is the threshold level over which it is necessary to demonstrate the independence of New Augusta from Hattiesburg. Further, Hattiesburg is located in Forest County, while New Augusta is located in Perry County.

When Channel 269 is allotted to New Augusta, Mississippi, Community Broadcasting Company will file an application, FCC Form 301, on a timely basis for authorization to construct and operate a new FM station on Channel 269A at New Augusta.

The foregoing technical statement was prepared on behalf of Community Broadcasting Company by Graham Brock Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM facilities was extracted from the NTIA database, updated on February 28, 1997. We assume no liability for errors or omissions in that database which may be adverse to the request contained herein.



USABLE AREA CHANNEL 269A

MAP IS A PORTION OF THE 1: 500, 000 SCALE
 U.S.G.S. BASE MAP OF MISSISSIPPI.

MAP ASSUMES WKNZ ON CHANNEL 296A.

EXHIBIT #1

PETITION FOR RULE MAKING
 COMMUNITY BCG. COMPANY
 ALLOT CHANNEL 269A
 NEW AUGUSTA, MISSISSIPPI

June 1997

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

ALLOCATION STUDY FOR NEW AUGUSTA, MISSISSIPPI
USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE	CLASS A	DISPLAY DATES
31 13 41 N		DATA 06-09-97
89 06 47 W	Current rules spacings	SEARCH 06-13-97
----- CHANNEL 269 -101.7 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD269	269A	New Augusta	MS	0.0	0.0	115.0	-115.00
AD	31 13 41	89 06 47	0.000 kW	0M	0.0	71.5	
Community Broadcasting Company							

* WKNZ	269A	Collins	MS	312.0	50.35	115.0	-64.65
LI CN	31 31 49	89 30 29	1.000 kW	165M	31.3	71.5	
Sunbelt Broadcasting Corp. BLH-881202KC							
>to Channel 296A per MM Docket #90-569							

WTKXFM	268C	Pensacola	FL	115.2	165.02	165.0	0.02
CP CN	30 35 18	87 33 16	100.000 kW	405M	102.6	102.6	
Southern Broadcasting of Pensacola BPH-940725IB							
WYOY.C	269C2	Gluckstadt	MS	322.5	168.41	166.0	2.41
CP ZCN	32 25 36	90 12 20	50.000 kW	139M	104.7	103.2	
New South Radio, Inc. BPH-951019IA							
WLMG	270C	New Orleans	LA	211.2	169.37	165.0	4.37
LI CN	29 55 11	90 01 29	100.000 kW	300M	105.3	102.6	
River City License Partnership BLH-900319KB							
WYOY.C	269C3	Gluckstadt	MS	322.5	168.39	142.0	26.39
CP CN	32 25 36	90 12 19	25.000 kW	100M	104.7	88.3	
New South Radio, Inc. BPH-920211IC							
WHXT	271C3	Citronelle	AL	103.0	70.06	42.0	28.06
LI CN	31 05 04	88 23 51	15.000 kW	130M	43.5	26.1	
Lyn Communications, Inc. BLH-940509KM							
WGCMFM	272C3	Gulfport	MS	177.8	85.39	42.0	43.39
CP ZCN	30 27 30	89 04 46	16.000 kW	109M	53.1	26.1	
JMD, Inc. BPH-960223IF							

ALLOCATION STUDY CHANNEL 269A

* NOTE : WKNZ WAS ORDERED TO CHANNEL 296A
IN MM DOCKET #90-269, SEE TECH.
STATEMENT FOR DETAILS.

EXHIBIT #2

PETITION FOR RULE MAKING
COMMUNITY BCG. COMPANY
ALLOT CHANNEL 269A
NEW AUGUSTA, MISSISSIPPI

March 1997

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

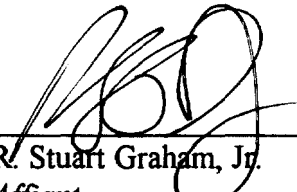
State of Georgia)
St. Simons Island) ss:
County of Glynn)

R. STUART GRAHAM, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Community Broadcasting Company to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He is a graduate of Auburn University and has been active in Broadcast Engineering since 1972.

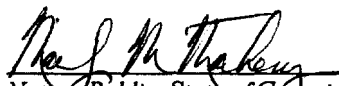
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 13th day of June, 1997.



R. Stuart Graham, Jr.
Affiant

Sworn to and subscribed before me
this the 13th day of June, 1997



Notary Public, State of Georgia
My Commission Expires September 12, 1999